

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

FREDRICK M. BLAU,

Plaintiff,

v.

AT&T MOBILITY, ET AL.,

Defendants.

No. C 11-00541 CRB

**ORDER GRANTING MOTION TO
CHANGE TIME AND DENYING
MOTION TO VACATE HEARING
DATE**

Plaintiff has filed a document entitled “Plaintiff’s Statement of Nonopposition to Defendants Motion to Change Time to Respond to Complaint as to Plaintiff Anthony P. Tran; and Plaintiffs’ Notice of Motion and Motion to Change Time of Motions Calendared for May 6, 2011.” See dckt. no. 22. In light of Plaintiff’s non-opposition, the Court GRANTS Defendants’ Motion to Change Time as to the Claims of Plaintiff Anthony P. Tran. See dckt. no. 16. In the second part of Plaintiff’s filing, Plaintiff asks the Court to “move the hearing date for the May 6th Motions” (see dckt. nos. 13, 17, 19), in light of an amended complaint which Plaintiff hopes to file before then. The Court will not vacate the hearing date because of an amended complaint that has not yet been filed, and which, even according to Plaintiff, will only “likely” moot the pending motions. See dckt. no. 22 at 4. If and when the amended complaint is filed, the Court will determine whether the amended complaint moots the pending motions. The parties are welcome to submit their thoughts on

1 that issue to the Court upon the filing of the amended complaint. In the meantime, the
2 motion to vacate the May 6, 2011 hearing date is DENIED.

3 **IT IS SO ORDERED.**

4
5 Dated: April 5, 2011



CHARLES R. BREYER
UNITED STATES DISTRICT JUDGE